

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

RICHARD ARTHUR McWHINNEY,

Defendant(s).

NO. CR03-502P

ORDER ON STIPULATED MOTION
TO PROCEED DIRECTLY TO A
RESENTENCING PROCEEDING

The above-entitled Court, having received and reviewed the Amended Stipulated Motion to Proceed Directly to a Resentencing Proceeding and all exhibits and declarations attached thereto, makes the following ruling:

IT IS HEREBY ORDERED that the above-entitled matter shall proceed directly to a resentencing proceeding. The Court finds that there is no need to make a preliminary determination regarding whether the previous sentence would have been different had the Court known that the Guidelines were not mandatory.

The clerk is directed to provide copies of this order to all counsel of record.

Dated: December 20, 2005



Marsha J. Pechman
U.S. District Judge